MURDER will OUT.

SIR,

BY yours of the 12th of this Instant writ to Sir R. S. I perceive you never heard, that since this happy Revolution, any proof was made in Detection of the most Treacherous and Barbarous Murther of that Great, but unhappy Patriot, *Arthur* late Earl of *Essex*: Wherefore according to the Commands laid upon me, I shall as briefly as I well can, give you an Abstract of the most material Depositions which in that Matter have been made; and upon what Information I first moved, and for what Reasons I did ingage in the Prosecution. In this *Compendium*, I shall refer you to a large Discourse, Intituled, *Essex's Innocency and Honour Vindicated* (in a Letter to a Friend) printed above two Years since; and by your Nephew B. it will be shortly brought you.

The late Earl of *Essex* was committed to the Tower, *Tuesday* the 10th of *July* 1683. *Bomeny*, his own Servant, was immediately attending on his Lordship; *Monday*, and *Russel*, were the two Warders, who (by turns) stood, one at his Lordship's Chamber-Door, the other at the Stairs-foot; and *Floyd* (a Soldier) Centinel at the House-Door, under the Earl's Chamber-window, *Vide* Letter, *&c.* p. 2. *Friday* then next following, his Lordship was (falsely) said to cut his Throat. To prove which (pretended) Self-Murther, *Bomeny* and *Russel*, on the then next day, deposed before the Coroner in Substance, *That the Earl of* Essex, *in less than half an Hour before he was found dead, had a Razor delivered him to pair his Nails: with which Razor, his Lordship retired into a little Closet, and [illegible] which Closet, soon after, being opened: The Earl was there found with his Throat cut,* (both Jugulars being divided,) *and the Razor lying by the Body.* L. p. 2.

This Evidence for the Self-Murther is detected in every part; For it appears by the many Contradictions between *Bomeny*, *Russel*, and *Monday*, and the Depositions of many Witnesses; *First*, *That there was no Razor delivered my Lord, nor found by him in the Closet, but laid there after his Death, to colour the Self-Murther. Secondly*, *That the Earl's Body was not lockt into the Closet.* For the first of these, *Bomeny* in his first Oath, deposed, That he did not deliver the Razor till the Morning his Lordship died, L. p. 34. and in his his second Oath (taken within a few hours of the first) He saith, he delivered the Razor the Day before his Lordship's Death; L. p. 3. *Russel* swears the Razor was delivered in less than half an Hour before my Lord was found dead; L. p. 4. and often declared, that he saw it delivered by *Bomeny*, after *Monday* had left my Lord's Chamber; But *Monday* affirms, That his Lordship had the Razor about 3 hours before he was found dead; and above 2 hours before *Russel* stood at his Lordship's Chamber-door, that Morning the Earl died; L. p. 35. and 36. These Contradictions destroy the credit of each other, and consequently prove the falsity of all. That there was no Razor lockt in with the Body, is evident; for two Deposed they saw a bloody Razor thrown out of his Lordship's Chamber-window (which is 16 foot distant from the Closet) before the Earl was known to be dead, L. p. 40, 41, 42. and *Floyd* confessed he saw the Razor so thrown out. *Webster*, one of the suppoſed *Ruffians* (whom *Floyd* declared he let into the Earl's Lodgings a little before his Lordship's Death, L. p. 41.) owned, That he himself threw the Razor out; and being asked the Reason, replied, he was then under a consternation, and knew not what he did, L. p. 42. Several that were in the *Tower* that Morning my Lord died, deposed, That it was commonly discours'd in the *Tower*, just after my Lord's Death, That there was a bloody Razor thrown out of the Chamber-window, before ever it was known my Lord was dead, L. p. 42. I perceive most are to seek of the Reason wherefore this Razor was so thrown out, which might be what follows. The *Ruffians* having murthered the Earl, before they laid all things in that posture they designed they should be found, by such as should come to see the Earl's Body; A Person coming up Stairs, these Varlets were surprized with fear, having not finished *that Tragical Scene*, as they designed to have left it. Under this Amazement, one of the *Ruffians* threw the Razor out of the Window. This was not politickly done, but it's to be considered that what is the Effect of surprizing fear and consternation (as this action was) is not cunningly and judicially executed; for this I have some ground; and the Truth time may discover. *Secondly*, That the Body was not lockt into the Closet; *Bomeny* first swore that he knocking at my Lord's Closet-door, and calling, *My Lord*; his Lordship not answering, he (himself) pushed the Door open, and there saw the Body, L. p. 35. In his second Deposition taken the same Day, he deposed, That when he knockt at the Closet-door, and called, *My Lord*; his Lordship not answering, he peep'd through a Chink, and saw blood, and part of the Razor, whereupon (without opening the Door) he called *Russel*, and *Russel* pushed the Door open, L. p. 3. This pushing supposes violence; but *Russel* deposed, he himself opened the Closet-door, the Key being on the outside, L. p. 4. and speaks of no difficulty in it; whereas *Monday* gives the Lie to both *Bomeny* and *Russel*; amd declared that my Lord's Body lay so close and strong against the Closet-door, that neither *Bomeny* or *Russel* could open the Door; but he himself coming to the Door, and being much stronger than either of the two former, put his shoulder against the door, and thrusting with all his might, broke it open, L. p. 35. This Relation stuft with Contradictions, argues the whole is false, and contrived. For whensoever two or more Deponents pretend to be Co-witnesses of a Fact (as in this case *Bomeny*, *Monday* and *Russel* do) and they materially contradict each other (as is herein most notorious) it's evident all is forg'd. This rational conclusion was drawn by *Daniel*, from the contradictory charge of the two Elders against *Susannah*. That the Closet was, or could be lockt upon the Body, is false, and contrived, as appears by the Oath of such who coming up to my Lord's Chamber just after his death was first discoverd; they observed the Legs, part out of of the Closet (so that the Closet-door could not possibly be then fast) and a bloody foot was seen imprinted on my Lord's Stocking, L. p. 40. This in contradicton of that Evidence, which would prove his Lordship a Self-Murtherer. I shall now give you some farther Testimony to prove the Earl Barbarously murthered.

D.S. *in substance deposed, that in July 83, she was Servant to*

one Mr. *Holmes* (a notorious bigotted Papist) *and about 9 Days before my Lord of* Essex's *Death, She overheard several Papists declare at the House of the said* Holmes, *That the Earl of* Essex *was so averse to their Interest, that he must be taken off; and that they had been with His Highness (the late King) and His Highness was first for poysoning the said Earl, but that manner of death was objected against; it was then proposed to His Highness, that the Earl should be stabbed; but that was not liked; at last His Highness concluded, and ordered his Throat to be cut; and His Highness had promised to be there when it was done. About 6 Days before his death, some of the same Consult, at the same place declared, that it was resolved the Earl's Throat should be cut; but it would be given out, he had done it himself, and whosoever should deny that, should be taken up and punished. The very Day this Murther was committed, and after it was done, one of these Villains leaped about* Holmes's *Parlour for joy, and* Holmes *coming into the Room, he struck* Holmes *on the Back, and cried, The Feat was done, and he could not but laugh to think how like a Fool the Earl of* Essex *look'd when they come to cut his Throat*, L. p. 23, 24. That this Relation was not invented upon this Revolution to asperse the late King, many Witnesses have deposed, That this servant gave them the Substance of this Account some years before the late King abdicated; and that these Deponents cautioned her to secrecy, L. p. 23, 24. To avoid this Charge of *D. S.* Mr. *Holmes* procured 2 Witnesses. Mrs. *Hewet*, a violent Papist, and the other of a loose Character, to depose that in *April* before the Earl's Death, this *D. S.* was turned away from *Holmes*'s House upon Suspicion of Theft; and from *April* 1683, to 9 Months after, one *Elizabeth Cadman* was servant with the said *Holmes*; and no other servant there. *Mr. Cadman* (the same), L. p. 24. But it's deposed by 6 Witnesses, That *D. S.* was servant with *Holmes* about the time of the Earl's Death, L. p. 24, 25. and it's proved, continued there a Servant sometime after his Lordship's death, L. p. 25. *Hewet* further swore, That on the *6th* of *July* 1683; She went out of Town with *Holmes*, and tarried out with him till the *23th* of the same Month; but in contradiction to this part, it's deposed by a Taylor, That the very Week my Lord died, he delivered a Dust-Gown to Mrs. *Hewet*, then in *London*; this appears by the Taylor's Book, to which he hath sworn, L. p. 25. but Mrs. *Hewet* told this Taylor, to this effect; That if he did swear this, he would prove her Brother *Holmes* in Town (when she had swore him above 60 miles off) and that her Brother was then a dead Man, L. p. 26. Thus *Holmes*'s Defence appears false in every part. And where a Defence is detected to be false, it's not uncharitable to conclude that the Charge is true. As a further Evidence to confirm the Consult to murther my Lord; and that His late Majesty the then Duke of *York*, was to be there when it was to be done, it's proved by 8 Witnesses, that it was reported, at several remote places in *England*, sometime before the Earl was dead; That the Earl had cut his Throat in the *Tower*, L. p. 26, 27. and at one of these places, (*viz.*) *Andover* about 60 Miles from *London*, the very next Day after the Earl was committed to the *Tower*, and two days before the King and Duke went to the *Tower*, it was declared; *That the Earl being Prisoner in the* Tower, *and understanding the King and Duke were come into the* Tower, *his Lordship was afraid His then Majesty would have come into his Chamber, which the Earl could not bear the thoughts of; and therefore cut his Throat, to avoid it*, L. p. 27. None but the most secret in that horrid Contrivance, who knew the King and Duke were to be in the *Tower*, when the Earl was to be murthered, or had it from such as were acquainted with the whole Contrivance, could report two days before the Earl's Death, that his Lordship cut his Throat when the King and Duke were in the *Tower*; for the King and the Duke had been together in the *Tower* but once in 25 Years before; and their going the day my Lord died, was a surprize to the very Yeomen of the Guard; many of which, about five in the Morning were called out of their Beds to attend His Majesty and Duke into the *Tower*. All these reports of the Earl's Death before he was indeed dead, agreed in the manner how [cutting his Throat] the Place where [the *Tower*] and one gave the pretended Reason wherefore [to avoid seeing the King then in the *Tower*] which Reason was industriously urged by the Papists, after his death, as an Argument for the Self-Murther. All this strongly proves, that the manner, place, and pretended reason, were some time before my Lord's Death (or indeed commitment to the *Tower*) agreed upon; for it could not otherwise be so particularly related, about 60 Miles from *London*, the next day after his Lordship's commitment to the *Tower*. That His late Majesty sent the *Ruffians* into the Earl's Lodgings to murther him, is reasonable to be believed, it being deposed by several Witnesses, That on the Day of my Lord's Death, two Soldiers (since taken off to prevent their discovery) declar'd they saw the then Duke send two *Ruffians* into the Earl's Lodgings, and these two Villains were observed to return to his then Highness, before the Earl's Death was known; and as they came near him, they smiled, and said, *The Business was done*; upon which the then Duke seemed well pleased. *Floyd* the Centinel confessed, that by special Order he let in two or three Men, of which *Webster* a Bailiff was one, into my Lord's Lodgings just before his death; that he heard them going into my Lord's Chamber, upon which he soon observed a great noise and trampling; a little after which, it was pretended the Earl of *Essex* had cut his Throat. Whilst this Centinel was in *Newgate*, as suspected privy to my Lord's Murther, he desired liberty to send for a Neighbour, which being granted by the Lords of the Committee; This Soldier after he had often enjoyned his Neighbour to be true to him, declared, *That he was much troubled that he had confessed the letting in these men to my Lord; for tho' it was indeed true, it was what he should not have owned*, L. p. 28. Whilst these *Ruffians* were thus struggling with my Lord, one *E. B.* saw three or four men bustling together in my Lord's Chamber; and she heard one of them crying out very loud and dolefully, Murther, murther, murther; and this she soon discovered to one Mr. *P.* who did immediately caution her to secrecy, because the discovery thereof would be her ruin, *L. p.* 29.

Mr. *P.* hath in this respect confirmed the Testimony of *E. B.* So that this Evidence appears to be no new-made Story, *L. p.* 29.

That his Lordship by his struggling, endeavoured to prevent their cutting his Throat, appears by five Cuts that were observed on his right Hand, *L. p.* 45.

The many and gross irregular Practices, with respect to the Coroner's Inquisition, are further Proofs

of

of my Lords being Murther'd; and these Irregularities committed contrary to the then King's Order; for as soon as King *Ch.* heard of the Earls Death, he did immediately send a Gentleman to order that all things should remain in those Circumstances the Body was first found dead, till the Coroners Jury had sat upon the Body; but notwithstanding this positive Order from the then King, the Body was soon taken out of the Closet, and that very day the Body was stript, the Cloathes carried away, and the Room and Closet wash'd; and the next day, when the Jury sat, one of the Jury insisted upon seeing my Lord's Cloathes in which he dyed; whereupon the Coroner was sent for into the next room to the Jury, and upon his return told the Jury it was the Body, and not the Cloaths they were to sit upon; the Body was there, and that was sufficient, *L. p.* 44. Now, had the Cloaths been produced, the print of the bloody Foot before observed, would have appeared, and that my Lord's Cravat in the Neck was cut in three parts, besides other Circumstances in the Cloaths, which might have prov'd the Resistance made by the Earl to prevent his being Murder'd, had they been produced. Whilst the Jury was sitting, one of them said to this Effect, That he had heard the Earl of *Essex* was a very Good, Sober, and Religious Gentleman, and therefore this Action was very unlike that Character. Whereupon Major *Hawley* (at whose House my Lord was Murder'd) in substance tells the Jury, (and this Man who thus spake in particular) That whosoever thought that Self-murder was not like the Earl of *Essex*'s Character, did not well know his Temper, [illegible] intimately acquainted with the Earl, knew that it was his Lordships fix'd Principle, That any Man might (and ought rather to) cut his own Throat than be brought to an Infamous Death; wherefore this Action was according to the Earl's avowed Principle, *L. p.* 46. But when Major *Hawley* was ask'd before the Lords of the Close Committee, how he knew this to be my Lords avowed Principle, *Hawley* protested he did never hear it said to be my Lords Principle, till their Lordships charged him with having suggested it to the Jury, and that he could not possibly do for this further reason, because he was not near the Jury all that time they sat upon this Inquisition. *Hawley*'s now denying the suggesting to the Jury this pretended Principle of my Lord, argues, That this pretended Principle was a Forgery, and contriv'd to corrupt the Jury with a belief of the Self-Murder. The Jury were for adjourning their Inquisition, and giving notice to my Lord's Relations, so that if any thing could be proved on my Lord's behalf, it might be heard. But to prevent this, *Hawley* tells the Jury, That the then King had sent for their Inquisition, and declared he would not rise from the Council-Board till their Inquisition was brought him; wherefore they must dispatch out of hand, *L. p.* 46. This being credited, they made all imaginable hast, and did not take that time they would otherwise have done. *Hawley* being asked who came from the King, thus to hasten the Jury, protested he never heard that any Person was so sent; neither did he declare this to the Jury, nor could he do it, for he was not near them all the time they were upon the Inquisition. But the Coroner, and all the Jury very well knew *Hawley*; and if it sworn he was with them, and made use of those Suggestions beforementioned.

Hawley's denial, That he was near the Jury, argues his being conscious that he was with them to a very ill purpose. It being a general Observation, That whensoever a Person is charged with a Crime at a certain place, and he positively denies his having been at that place, when the Crime is said to be committed; if such his denial prove false, and it appears by undoubted Evidence, that he was at the place when the Fact was done, it is taken for granted, that he was there to do what he is charged to have done. A false Defence still argues a true Charge.

Lloyd the Centinel, the day he was first seiz'd as suspected privy to this Murder, declared, That when the Men came to my Lord's Lodgings just before his Death, *Monday*, or Major *Hawley* ordered him to suffer the three Men to come in, *L. p.* 27.

To avoid this Suspicion, Major *Hawley* declared before the Lords of the Close Committee, that he went out of his own house about four or five of the Clock that morning, and came not near his own House till after my Lord's Death, when *Monday* the Warder, came and gave him notice of that Accident; but it was positively sworn by one (that passed by Major *Hawley*'s House about eight of the Clock that Morning, which was a little before my Lords death) that he saw the Major then go into his own House, *L. p.* 32.

Webster (beforementioned) one day very much abusing his Wife (or Whore), she told him (to this effect) *That he was a Fool, as well as a Rogue, to treat her so, considering he knew it was within her Power to hang him, and one in the* Tower, L. p. 44.

This *Webster* the *very day* my Lord was Murder'd, *produced a very fine Cambrick Pocket-Handkerchief, mark'd with an* E. *and a* Coronet. The Handkerchief was very Bloody, and this Barbarous Wretch shak'd it, and with a great rejoycing, cried out, *Here is the Blood of a Traytor.*

The next day after the Earls Murder, this Fellow (before that time miserably poor) produced a little Purse which he shook before a Neigbour of his, *and out of the Purse told Forty nine* Guineas, *and a* Pistol.

But it seems he had a far greater Sum than this; for (sometime after his Lordships Murder) his Wife, being upbraided with her Husbands Poverty, reply'd, *My Husband not long since had five hundred Guineas*, L. 44.

This is probable enough, considering the great Sums of Money this vile Fellow was observ'd to play away shortly after the Earl's death, for (it's believed, by those that observ'd his then losing, that) he lost above 400 *l.* within twelve Months next after his Lordships Murder: *Male parta, male distribuntur.* Ill got, ill spent.

Sometime after the Earls Death, *Holmes* (as before accused of being privy thereunto) abusing his Wife, she was over-heard to tell him, *He was a Murderous Rogue, and he well-knew she could hang him when she pleas'd.* To which *Holmes* answer'd, *That he little thought she would have spoken of it, who of all the World had the least Reason.* For said this Scurrilous Fellow, *You Bitch, you Whore, don't you remember I bought you a good Sattin Gown and Petticoat, and therefore you*

above all the World ought not to prate. But she repli'd, *You are a Murderous Rogue for all that.*

The many ill Practices, violent Prosecutions, and indeed barbarous Murders that have been committed to avoid a discovery of my Lord's Murder, are further strong presumptions of that Barbarous Cruelty. Of the first sort we have a remarkable Instance in this particular, (*viz.*) When the Coroners Inquisition, and the Depositions of *Bomeny* and *Russel*, were carri'd in all haste to *White-Hall*, in order to their immediate Publication; upon reading and comparing these new Informations, it was found that they did (in point of time) materially contradict each other; wherefore to make their Relations in this respect, appear to the World more consonant to each other into *Bomeny*'s Deposition these words were foisted, (*viz.*) *on* Friday *the Thirteenth Instant*; wherefore the then Authority might properly be said to have forg'd an Information. For upon the least Alteration of, or Addition to what was sworn by *Bomeny*, it ceased to be his Deposition.

Whomsoever the then Authority pitch'd upon to peruse and reconcile *Russels* and *Bomenys* Depositions, so that they might not appear to the World inconsistent with each other, 'tis plain he was not qualified for that Service; for the words (before observ'd, to be added by this Reconciler) are foisted into *Bomeny*'s Deposition without the least congruity to Sense and Grammar; As at large appears in *L. p.* 48.

It matter'd not how contradictory *Bomeny* and *Russell* were in their Oaths before the Coroner, provided they appear to publick view in a credible Dress. For those Originals being kept by the Coroner, it could not appear to the World, that either of these printed Depositions was different from what was indeed sworn; 'twas taken for granted that the Coroner durst not contradict what Authority had ordered to be printed.

Robert Meake, a Soldier in the *Tower* when my Lord was Murder'd, (and that very day) discovered to several Friends what he knew of the matter) the next Morning after the Earl's Death, desired those (to whom he had made that discovery) not to reveal the least of what he had told them with relation to my Lord's Death: *For* (said *Meake*) *this very Morning several Soldiers were called together, and by our Officer enjoyned* (*under severe Threats, not to make known any thing of what we saw or heard, with reference to my Lord's Death.* And therefore he was undone if they should declare what he had the day before told them.

But it seems it was soon known or suspected by my Lord's murtherers, that *Meake* had revealed his knowledge in this Matter; and therefore they were resolved to take him off, to prevent his farther Relation; of which this poor Soldier being very sensible; the very Day he was murthered, he came to several of his acquaintance, and told them, *That he found he went in danger of his life; and he was afraid he should be murthered for discovering what he knew as to my Lord's Murther; wherefore he desired those his Friends to keep him company that very Day, for he much fear'd he should that very day be taken off; but his Friends dreading the danger themselves might be in whilst in his Company, refused to go with him, and that very Night this honest Soldier* (*who was commonly known in the Tower and amongst his acquaintance, by the Name of honest* Robin) *was thrown into the* Tower-ditch, *and the then next Morning there found dead,* L. p. 49.

There was one Mr. *Hawley*, a Warder in the *Tower*, that Morning the Earl died, who the day Mr. *Speak* and I were Tried, declared, That he *knew Mr.* Braddon *could know nothing of the matter; which a Gentleman observing, said to* Hawley, *If you know Mr.* Braddon *knows nothing, what must you know then?* To which Mr. *Hawley* made no reply.

But this Warder's knowledge in the Matter, cost him dear; for about *March* next after the Earl's Death, this Man was missing, upon which a *Popish* Warder said, *That Hawley had been prating about the Earl of* Essex's *Death, and for what he said, was forc'd to run away*, tho' it afterwards appeared he was *murthered*; for about 6 Weeks after he was first miss'd, he was found almost naked in *Medway* River, having been villanously destroyed; and such barbarous cruelty acted towards him, that none of his own Relations (not his own Wife) could know him by his Face, nor by any thing but what he had on his Legs; for his Cloaths were stript off (without doubt) that the Body might not be known, but his Stockins left on, by which he was discovered; for he wore three Stockins upon one Leg, and two Stockins and a Sere-Cloath (which he wore for some hurt) upon the other; by which remarkable circumstance the Body was known to be Mr. *Hawley*'s.

Had his Murtherers took off his Stockins, as they did his Cloaths, none could have known it to be Mr. *Hawley*'s Body. But the Avenger of Blood in his Providence ordered this otherwise; and hereafter may detect those barbarous Destroyers of Mankind, with all their complicated Murders by them have been perpretrated, with Relation to their first perfidious Cruelty.

Many have been the Practises used, to prevent a publick Discovery of what was known by particular Persons in this matter; For,

About 6 Weeks after my Lord's Death, there was a Letter (unsealed) left with one Mr. *Cadman*, then living in *Durham Exchange*. The *Letter* was directed to the Right Honourable the Countess Dowager of *Essex*: The substance of this Letter was; *That if her Honour could prevail with the King for the Author's Pardon, he would ingenuously make a full Discovery, how, by whom, and whose Order my Lord was murthered; and this Letter did assure her Honour, that the Duke of* York *and* —— *were authorizing this Murther.*

This Letter was subscribed, *P. B.*

By the Hand that writ it, and the Letters Subscribed, it was *Paul Bomeny, beforementioned* (*who did once blasphemously say, that he could as well tell how my Lord came by his Death, as God Almighty himself.* For the Letter was fairly writ in a Hand, between a *Roman* and *Italian*; and such an Hand *Bomeny*, when he *writ* fair, did *write*; Besides, the *two* Letters subscribed, are the Letters of his Name.

I do suppose it may be objected, That this Letter cannot be thought to be *writ*, and subscribed by *Bomeny*; for the Letter, had it been brought in Accusation against him, and proved to be his, would have cost him his Life; seeing herein he confessed himself guilty of the Fact.

But with submission, I think *Bomeny*, by this Letter (could it have been proved, to be his own *Hand-writing*) was in no danger at all of being punished; for had they seized *Bomeny*, they would have catched a *Tartar*;

a *Tartar*, ſhould they have proceeded againſt him, for the Murther. Upon this Confeſſion, *the World would have believed the whole Contents of this Letter, to be true; and conſequently, that the Duke of* York, *and* —— *authorized* (*or rather commanded*) *this moſt Treacherous Murther*; and then pray conſider, what that Government could have got by ſuch Proſecution, Conviction, and Puniſhment.

This Letter was carried by *Cadman*, to a Juſtice of Peace, and by him to the *Secretary of State*. But this Bookſeller, was never ſent for, nor any enquiry made after the Author.

This Murther was a *Noli me tangere* of thoſe times, which was not therefore to be inquired into; but ſuch as could make Diſcoveries, were to be threatned or wheedled into ſilence. Of which (amongſt many others) we have theſe Inſtances following, (*viz.*)

William Edwards (who ſaw the bloody Razor thrown out of my Lord's Chamber-window before his Death was diſcovered, and hath depoſed the ſame before the Lords), further made Oath, That as he was going into *Weſtminſter Hall* (that Morning Mr. *Speak* and I were Tried) he met Major *Hawley*, who (knowing *Edwards* was to be an Evidence at that Trial) in a very threatning manner told him, *That if he might have the management of him, the ſaid* Edwards *ſhould be whipt* once a Fortnight for 7 Years together. Which menace of the ſaid *Hawley* did ſo terrify this Boy (then about 13 Years of Age) that he was afraid to own what he knew, leſt he ſhould have ſufferedfor ſo doing. But gentler Methods were ſometimes thought more proper to be uſed towards ſuch as could reveal any thing material herein; for it's proved that one ——ſaid, *Major* Hawley *was one of the beſt friends ſhe had in the world upon account of ſomewhat which ſhe knew with relation to the Earl of* Eſſex's *Death*, L. p. 33.

The bare diſbelief of the Earl's Self-Murther, was heretofore a Publick Herefy againſt our then Miſ-Government, and Severely profecuted, tho not with fire, yet with barbarous Uſage; as appears by the treatment of an Ancient Soldier, who ſometime after the Earl's Death, was ordered to ſhew a certain Dr. the *Tower*, which, whilſt he was doing, the Divine asked the Soldier which was *the Chamber the Earl* of Eſſex *cut his Throat in? Whereupon the Soldier pointed to the Earl's Lodgings*, and ſaid, *that is the Chamber; in which, they ſay, he cut his Throat*. The Dr. then asked the Soldier *what he did believe?* The poor Man (to evade a direct anſwer) ſaid, *he believed in God*; but the Dr. *preſſed him to declare whether he did not believe his Lordſhip cut his own Throat*. The Soldier (with ſome unwillingneſs), *replied, that he would not ſay he did believe it*. The Dr. looking on this Expreſſion, as *a great Offence*, immediately complained hereof to the Lord *Allington*, then Conſtable of the *Tower*: upon this Complaint the Soldiers were ordered to be drawn out, that this Man might be diſcovered, which this Soldier underſtanding, to avoid diſcovery, ſome way *diſguiſed* himſelf; but notwithſtanding, the Parſon knew him, and charged him with what you have before heard; for which this *unhappy diſbeliever was put into the Hole, and there fed ſome conſiderable time upon Bread and Water; and whilſt the Lord* Allington *was out of the* Tower, *an Officer then there, Commander in Chief, ordered the poor old Man, then paſt 60 Years of Age, to be tied to the wooden Horſe, and ſtript to his Waſte, and the* Marſhal *to give him fifty three ſtripes* (*tho' the uſual number was but Twelve*), *after which, this Officer told the Soldier, he ought to have been hang'd for what he declared*. And yet nothing more in ſubſtance than what is before-mentioned.

One of the *Coroner's* Jury, ſometime after my Lord's Death, at a *Coffee-houſe*, ſaid, *he thought that they of the* Jury *were all infatuated, to find the Earl* Felo de ſe; *and he verily believed, that had they been allowed convenient time, they ſhould have brought it in otherwiſe*. This *Jury-man* for theſe words was taken up, impriſoned, proſecuted, and fin'd. Such were the violent Methods uſed in thoſe days, to avoid any Suſpicion of my Lord's being murthered.

The *timing* the Earl's Death, and the *ſudden* uſe thereof made, is another Argument, not only of the Murder, but of one *main end* thereby deſign'd. *My Lord was taken off, when that great Patriot, the Lord* Ruſſel *was upon his Tryal*.

As ſoon as King *Ch.* heard of the Earl's death, he ſent Sir *C*—— to go and view the Body, and take the Examinations of ſuch as were attending on my Lord, at the time of his death. Sir *C*—— had no ſooner began to examine thoſe Attendants, but a Meſſenger came (as he pretended) from the King, to tell Sir *C*——, *He muſt go to the* Old Bayly, *and give notice to the then Court, that the Earl of* Eſſex *had cut his Throat*. Whereupon Sir *C*——, by the ſame Gentleman deſir'd His Majeſty, that he might finiſh the Examinations he was then taking, and he would then go to the *Old Bayly*. But the ſame Gentleman ſoon return'd, and declar'd to Sir *C*——, that His Majeſty did expreſly command him to go forthwith to the *Old Bayly*, and to give notice of my Lord's Death. In obedience to which repeated Command, Sir *C*—— inſtantly went, and gave notice to the Court of that deplorable Accident. But Sir *C*—— hath unhappily forgot who thus twice brought His Majeſties expreſs Orders. L. p. 47, 48.

As ſoon as the Court received this Account from Sir *C*——, with what malicious Application was it urg'd againſt the then unfortunate Gentleman at that time there upon his Tryal? It was ſaid to be an argument from Heaven, of the truth of the (then) pretended Plot. The Kings Council ſaid, That *Digitus Dei* (but indeed 'twas, *Digitus Diaboli*) appear'd in that Evidence, and that it was more than a thouſand Witneſſes. *Vide* L. *Ruſſel's* Tryal.

This Murder thus vehemently urg'd, not a little bias'd the Jury againſt the then Priſoner; ſome of them having ingenuouſly confeſs'd, that it much influenced their Verdict againſt that unfortunate Gentleman. Thus by that fatal Cut, wherewith thoſe bloody Wretches murder'd the Earl, they did (virtually) deſtroy two of our greateſt Patriots, *true State-Martyrs for the Religion, Laws, and Liberties of their Native Country*.

SIR,

I Shall now give you a ſhort Account upon what Grounds I did firſt ingage in this Proſecution, and what hardſhips I have met with from the Severity of the two laſt Reigns, for having endeavoured to detect this complicated Murther.

My Lord of *Eſſex* was taken off the 13th of *July*; the Coroner ſat on the Body the 14th, and on the

16th of the same Month, the Depositions (taken before the Coroner) were printed, in which (amongst other things) it was sworn, That the Razor was lock'd in with the Body into the Closet, and there found. Upon reading this particular, a Friend of mine declared the Razor could not be lock'd into the Closet; for there was a bloody Razor thrown out of my Lord's Chamber Window before it was known that the Earl was dead, and that this Razor so seen thrown out, one *Edwards* beforementioned, endeavoured to take up; but a Maid came out of my Lord's Lodgings, and took it up, running with it into my Lord's Lodgings, and then first discover'd his Lordships death.

Finding this Relation very inconsistent with what was sworn before the Coroner, I concluded those forsworn Attendants did not swear false for any other end, but to avoid the discovery of *that Truth*, which might detect this Villanous Murder.

Hereupon I did advise with some Friends, to whom I did communicate my Resolution of making inquiry into this matter; but with an unanimous Consent they all dissuaded me, telling me, that if the Earl was Murder'd, that Interest and Power concern'd therein was too powerful for me to cope with. To which I made answer to this effect, That of this I was well satisfied, but I dreaded what might be the consequence of no Mans engaging in this Detection; for if that bloody Party which destroy'd his Lordship, perceived such their Cruelty was unsuspected, and that it was generally believed to be done by the Earl himself, in probability many more might fall such Sacrifices to their Malice: for if those cruel Men found any to oppose their Designs, it was but to pretend a Crime, and thereupon Imprison them, placing over them perfidious Villains, that would either Murder them, or suffer others to do it, and then add Perjury to Murder. — And they might destroy many Noblemen and Gentlemen, that were truest Friends to the *English* Interest; but if those vile Men once perceived that this their first Murder was suspected, and in danger of being expos'd, they would not so readily ingage in a Second Part of that horrid Tragedy, the prevention whereof I did prefer to my own private Interest and Safety; and tho to the certain Ruin of both, I was resolved (by the grace of God) to ingage therein.

With this Resolution, I made inquiry after this *Edwards* (whom before I never saw) and finding this Boy to give the Relation before-mentioned; and that as soon as he came from the *Tower* (that Morning my Lord died) he declared the same to his Mother and Sisters (as they were ready to attest) I took in substance what the Boy and his Relations could depose, and therewith went to some Magistrate; but I found all shy to meddle in the Matter.

Being thus disappointed, the very *Thursday* after the Earl's Death, I went to *White-Hall*, and carried with me what the Boy and his Mother could declare, and were ready to make Oath of.

This I gave to my Lord *Sunderland* (the then Secretary of State) The Secretary commanded me to attend the then next day, about Ten in the Morning; and so bring with me the Boy and his Mother, and his Lordship said, *If it were proper he would take their Depositions.*

Friday the 21*th* of *July* 1683, I went down to *White-Hall*, with the Boy and his Sister (who could testify the same, with the Mother, who was then ill) and sent word to the Secretary, then in Council, That I did attend according to his Lordship's Order. Upon which a Messenger was sent forth (and before the Boy or his Sister, or any person was examined against me) I was taken into Custody; and after some short time, carried before the King and Council.

When I first came before His Majesty, the King asked me, what *mov'd Me to engage in that Matter?*

I told His Majesty, that I was altogether a stranger to that Honourable Family; so that I lay under no greater personal Obligation than any man might, who had met with the same Informations. It was my love to Truth and Justice, that moved me to engage therein; and through the grace of God, would do my duty, though Death star'd me in the Face every step I made.

After many foreign Questions from the matter in hand, I pull'd out of my Pocket the Coroner's Inquest, and observed to His Majesty some of the Incoherences and Contradictions sworn before the Coroner.

The Duke then demanded to see those Depositions, which being delivered, his Highness look'd over them, but made no answer to what was objected. His then Majesty received them from his Highness, and said as little in answer. The then Lord Keeper *North*, endeavoured to reconcile those inconsistences: But I did object against such his Lordship's Reconciliation [illegible] This made the Lord Keeper very angry.

I do conceive that the Printing the Depositions was an appeal to mankind, Whether what was sworn before the Coroner was not sufficient to prove the Earl *Felo de se*.

I do not so much wonder at the folly of those two inconsistent Deponents, as at the indiscretion of the then Mis-Government, to print such incongruous Informations, as by their material, notorious Difference, naturally rendred both suspected, as false and contrived.

The Boy and his Sister being examined, I was called again before the Board, where the Lord Keeper told me, That I must give Security to answer to an Information, which in that *Matter* should be preferred against me; and that Afternoon I gave 2000 *l.* Bail accordingly, and was discharged out of Custody.

Although thus treated, I was resolved to proceed in my Inquiry; and for some Weeks was daily in search after many particulars of which I had been Informed; amongst the rest I was told, that it was reported above an Hundred miles from *London*, before the Earl's Death, that he had cut his Throat in the *Tower*, as is before observed.

In Search after this Report, I rid into *Wiltshire*, where I and my Servant were taken up, and sent to the County Gaol, upon a very illegal Warrant, in the conclusion whereof, *The Keeper was commanded to keep us both without Conversation with any Person whatsoever; and without Pen, Ink, or Paper, till the* Gaoler *should hear from the King and Council.* A strict obedience to this Warrant might have confined me, and my man to that Prison all the time of our lives.

From

From this Gaol I and my Servant were remov'd by *Habeas Corpus*, upon the *Habeas Corpus* Act, to be bail'd; my man was discharged without bail, but the Lord Keeper demanded 24000 *l.* Bail for my Appearance, and Security for the Good Behaviour.

These were Terms I could not comply with, and was therefore some considerable time continued in the Custody of a *Messenger*, at above Four pounds a Week, directly Expences, besides other collateral Disbursements

To avoid this vast Charge, I Petitioned to be removed over to the *Kings-Bench*, which after many Petitions, I did at last obtain. But before my removal I did agree with the *Marshal* upon giving 1000 *l.* Security, and Five Shillings *per* Week, to have the Liberty of the Rules. When I was removed, the *Marshal* insisted upon 1000 *l.* Security, and Ten Shillings *per* Week, which when I had given, I was notwithstanding lock'd up at no less Expence than 2 *l.* 5 *s.* 3 *d. per* Week, for Prison-Charges.

Thus having lain some Weeks in this Place, I moved the *Kings-Bench* to be bail'd, and at last obtained it.

Having once more got my Liberty, I renewed my Prosecution; but as a designed prevention hereof, I was about *November* 1683, again taken up upon as illegal a Warrant as the former. *For herein no Crime was specified, but it was granted against me for being suspected to be disaffected to the then Mis-Government. By virtue of this Warrant*, I was first carried before Sir *James Edwards*, then before the Lord *Mayor*; and after that to *White-Hall*, before the King and Council.

The Design of this was to charge me with bespeaking [illegible] the Destruction of the (then mis-call'd) Loyal Party. But upon full Examination, in this Accusation, there appeared such falshood and inconsistent malice, that I was ordered forthwith to be discharged.

Once more being at Liberty, I did renew my Inquiries, in which, till the *Hillary-Term* then following, I was in almost a constant Hurry.

In *Hillary-Term* 83, Mr. *Speak* and my Self were Tried upon an Information for a (pretended) *Misdemeanour*. In this Charge was set forth (in substance) *That the Earl of* Essex, *being Prisoner in the* Tower *for High-Treason, did feloniously destroy himself, and was so found by the* Coroner's *Inquest. Notwithstanding this,* Mr. Speake, *and my* Self, *did conspire to procure false Witnesses, to prove that the said Earl was murthered by Persons unknown, in whose custody he was*, L. p. 16.

The then Attorney General tells the Court, *That they had a Cloud of Witnesses to prove that the said Earl did indeed destroy himself*, L. p. 16

When this *Cloud* appeared, *it consisted in Major* Hawley (*at whose House my Lord was murthered*) Russel *the* Warder, *who then kept the Chamber-door*; Bomeny, *my Lord's Servant* (*then attending on his Lordship*) *and* Floyd *the Centinel* (*who kept the outward Door, whilst my Lord was murthered. Here are three* (Monday *being the fourth*) *of the men in whose Custody my Lord was, and consequently* (*according to the Information*) *the very men* Mr. Speake, *and my Self, had conspir'd to Charge with my Lord's Murther; and these very men, in whose Custody my Lord was, were like a Cloud of Witnesses brought to prove, that those men, in whose Custody my Lord was, did not murther his Lordship, but that the Earl himself feloniously, and as a Felon, of himself, did kill and murther.*

How very Ridiculous would it have looked, should the then Court, or Kings Council, have thus spoke to those three Witnesses, (*viz.*) *Gentlemen, you being three of the Men in whose Custody my Lord was at the time of his Death, are designed to be charged by the Defendants*, Speak *and* Braddon, *with the Murder of my Lord; but we have thought it convenient and just by* you *to prove, that* your selves *did* not *Murder this Unfortunate Lord, but that this Lord himself Feloniously, and as a Felon of himself, did Kill and Murther, as upon* only *some of* your *Depositions, he hath been already found by the Coroners Inquisition; do you therefore upon Oath but purge* your selves, *and lay the Murder to my Lords* own *Door, and we will inflict Exemplary Punishment upon these Defendants, whose Conspiracy tended to the charging* you as *Actors in it, or privy thereunto.*

I do humbly conceive, that all this was virtually included in the Examination of *those Witnesses*, whose *Oaths were not only admitted to purge themselves, but to render such as Criminals as should endeavour to charge them.* Should the like be practiced in Protection of all accused, (I am well satisfied) no Man would turn Accuser.

If any shall say, *These* being the Men attending on my Lord at the time of his Death, and his Lordship then a close Prisoner, are the Persons to be presumed privy to what was done *by* his Lordship, just before his Death, and therefore the Parties which as to that could be sworn.

I answer, As they were the Men which were to be presumed privy to what was done *by* his Lordship just before his Death, because they were the Persons [illegible] *for* his Lordship; *on this very Reason, they were the Parties which were likewise to be supposed privy* to what was done To *his Lordship just before his Death*; and therefore admitting that his Lordship fell by Treachery and Violence, these were the Men must be presumed knowing thereof, whereof these Mens Testimony being in effect a *Self-discharge*, ought not be to have been admitted.

This Tryal was carry'd on with all the Fury imaginable, and our Offence represented as the worst of Crimes; tho I do hereby Challenge *such of the then Bench as are now living, the then Attorny General, and Kings Council, Jury, and all the Witnesses against* me, to *produce out of all the Evidence against* me, (*which I suppose, but not grant to be true*) *any Action that deserv'd the Name of a Crime*; (*altho it ought to have been no small Offence to justify the Judgment against us.*) In this I refer my self to the printed Tryal.

Mr. Speak *was fin'd a* 1000 l. *and ordered to give Sureties for his Good Behaviour during his Life. And I was Fin'd* 2000 l. *and to give likewise Sureties for my Good Behaviour during Life.*

Under this Fine Mr. *Speak* lay some years, and at last upon payment of about 5000 *l.* his Father, Mother, Brother, and himself, got a General Pardon; but I continued about five years in Custody, even till the now King landed.

I have great reason to believe the late King would never have forgiven me; for about *August* 1687. I saw a List of the King's Prisoners in Mr. *Burton's*, or Mr. *Graham's* hand, and *my Name* was the *only* Name mark'd, and that was *twice cross*, which they told me was done by *the King himself*. As soon as he had

and the Lift, many of the Priſoners were ſoon after diſcharg'd; but I was deſign'd for *Judgment*, not *Mercy*, and therefore kept Priſoner till *December* 1688. when upon this King's Landing, I gave ten Guineas for my Security-bonds, and ſo made my eſcape.

About the 21ſt of *January*, 1688. *Hawley*, *Brandley*, *Ruſſel*, *Webſter*, and *Lloyd*, were ſeiz'd as ſuſpected concern'd in, or privy to my Lord's Murder; and the 23d of the ſame Month, being the ſecond day the Convention ſat, the Houſe of Lords conſtituted a large Committee to inquire into this matter; but afterwards the Lords appointed a Cloſe Committee, conſiſting of theſe four Lords, (*viz.*) The Right Honourable the *Lord Steward*, [the Earl of *Devon*], the Right Honourable the Earl of *Bedford*, the Right Honourable the (now) Earl of *Monmouth*, and the Right Honourable the (now) Earl of *Warrington*.

This Cloſe Committee met (for the moſt part) twice a Week from the beginning of *February* 1688. till about the Middle of *May* then following. The 23d of which Month many Depoſitions and Examinations taken by the ſaid Committee, were read in the Houſe of Lords; but the *Lord Steward*, Earl of *Monmouth*, and *Warrington*, being then gone into the Country in His Majeſties Service, it was ordered that theſe Depoſitions and Papers ſhould be ſeal'd up, and kept by the Clerk of the Parliament in the mean time.

In the Clerks hands theſe Papers lay ſeal'd up till the 26th of *October* then following, when a new Order of their Lordſhips, reviv'd the ſaid Committee, and ſoon after theſe Depoſitions were taken out of the Clerks hand by this Committee, which for a [illegible] time did again ſit [illegible] Weeks. But *before* their Lordſhip had reduced all thoſe numerous Informations and Examinations, which they (and ſome Juſtices of Peace) had taken in this Matter, into *ſuch method*, as 'twas thought proper to Report them to the Houſe, a *Prorogation* came, which of Courſe *Diſſolved* this Committe. *But when that Honourable Houſe ſhall think fit to Order that thoſe Depoſitions and Examinations, (ſo as before taken) ſhall be Reported to the Houſe, (I hope) by them their Lordſhips will be convinced, that that Great Champion of our Laws and Liberties, fell a Sacrifice to Popiſh Zeal, and Tyrannical Fury.*

The violent, bareface'd, and irreconcilable Temper, wherewith I was unjuſtly proſecuted, hath been no ſmall Argument with moſt Men to believe the *truth* of his Lordſhip's Murder. *There being ſcarce one Inſtance more to be given, where a Perſon was proſecuted for endeavouring by legal ways, to find out how the King loſt a Subject, eſpecially when in Priſon, under the more immediate protection of the Law.*

If it ſhall be objected (as it hath been), That the Coroner's Inqueſt had found his Lordſhip *Felo de ſe*, and therein I ſhould have reſt ſatisfied.

I anſwer, That if the Coroner's Inquiſition was like the Laws of the *Medes* and *Perſians* which altered not, this would have been a ſtrong Objection; but ſeeing the contrary is true, and the Coroner's Inqueſts have been often queſtioned, and upon *melius inquirendo* [illegible]

Every man that makes inquiry after Blood, is ſuppoſed to do the King Service, and proſecutes ſuch Inquiries in the King's Name, to know how the King loſt a Subject; whether by Self-violence (through which would accrue a Forfeiture of perſonal Eſtate) or by the hands of others; for which ſuch Murtherers ought to be brought to puniſhment.

But in this ſingle inſtance, inſtead of being *incouraged* by the then Government, I was furiouſly oppoſed, irregularly proſecuted, and (without the leaſt colour of Juſtice) utterly ruined. For

I have ſpent above 1200 *l.* ſince the laſt 9 Years of my Trouble; for part of which I have been ſome time a Priſoner, tho before Execution I have liberty to go abroad.

But I have ſome proſpect of Redemption out of theſe unhappy Circumſtances by that general conſideration of my misfortune, which is now had of many Gentelemen, who think it hard, that I, who voluntarily appeared to my expected ruin, for a Common Good (hitherto) without any compenſation, ſhould continue Priſoner for thoſe Debts, ſuch my misfortunes contracted. This Contribution was firſt moved and promoted by that worthy Gentleman, Sir *W. A.* whoſe (with many other Gentlemens) Kindneſs in this Matter, I ſhall ever in all humble Gratitude acknowledge.

In all my Sufferings, I did never lament my having engaged in this Proſecution; and I hope, 'That 'no diſcouragement ſhall ever make me repent the 'ſerving of a good Cauſe, nor the greateſt Bribes 'prevail with me to promote a bad.

Sir, I can't but be ſenſible I have already treſpaſſed upon your Patience, and therefore what I did further [illegible] deavour to demonſtrate,

1. That ſeveral Meaſures which the Papiſts took to conceal this Murther, have (by Providence) been inverted, and made ſtrong Arguments of the truth of the Murther.

2. I ſhall give further Anſwers to all the Objections which have been made againſt the proof of this Murther, and ſhew the unreaſonableneſs of the belief of the Self-murther. *Such as believe the Self-murther* without *Evidence*, (for *Bonieny*'s and *Ruſſel*'s Informations before detected, can be of no Credit) *and ſhall disbelieve* againſt *Evidence*, the *Earl's Murther* (which I conceive by the many Informations before-mention'd, is plainly prov'd) their belief is wrought upon by their Affections, *and they believe as they would have it to be*, and not upon ſuch rational Grounds, as ought to convince them that it is.

Sir, The Character you bear in your great Zeal for your Countries good, Commands me to ſubſcribe my ſelf, what I cordially am,

SIR,

Your moſt Humble,

and moſt Obedient Servant,

July 18.

L. B.